

Minutes of the Executive Committee
Monday, March 27, 2006

Chair Dwyer called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

Present: County Board Supervisors Jim Dwyer (Chair), Pat Haukohl, Duane Paulson, Walter Kolb, Dick Manke, Bill Mitchell, Duane Stamsta.

Also Present: WisDOT District Director Dewayne Johnson, City of Waukesha Mayor Carol Lombardi, Town of Waukesha Chairman Rob Stillwell, Director of Public Works Rich Bolte, Corporation Counsel Tom Farley, Director of Parks and Land Use Dale Shaver, Chief of Staff Lee Esler, Legislative Policy Advisor Mark Mader, Legislative Policy Advisor Dave Krahn, Internal Audit Manager Lori Schubert, Principal Internal Auditor Jackie Siewert, Business Manager Tom Koth, Deputy Inspector Steve Marks, Land Information Systems Manager Don Dittmar, Park and Planning Senior Planner Kathy Moore, Waukesha Freeman Reporter Larry Silver, Milwaukee Journal Sentinel Scott Williams, Christine Luftner, Office Services Coordinator Windy Jicha, Register of Deeds Mike Hasslinger, Chief of Staff Allison Bussler, County Clerk Kathy Nickolaus, Director of Administration Norm Cummings, Architectural Services Manager Dennis Cerreta, Fritz Ruf, Aileen Switzer of WisDOT.

Supervisors Present: Genia Bruce, Jim Jeskewitz, Bill Kramer, Rodell Singert, Bonnie Morris, Tom Bullermann, Jim Behrend, Mareth Kipp, Ken Herro, Bob Thelen, Kathleen Cummings, Dave Swan, Joe Marchese, Andy Kallin, Joe Marchese

Discuss Transfer of Meadowbrook Road, CTH TT and CTH TT South (Merrill Hills Road) to the State Highway System

Lombardi said she understands the importance of getting this project, which has been mapped for 25 years, started. This area has seen continued growth and the DOT needs to give relief for public safety. She understands there have been budget cutbacks but the City of Waukesha needs attention.

Stillwell said changes have been made at the intersection of I94 and Hwy G that are inline with this expansion. Merrill Hills Road is serving the same purpose as a bypass with access to I94 but it's a two-lane road with no shoulder. The road is dangerous. There have been serious accidents on the road and because of the lack of shoulder, the road needs to be closed until clean up is complete. The county overlaid the road last year but no shoulder was installed. The time has come to improve the road. The road is on the map and the current layout doesn't have a lot of impact on the area.

Hasslinger said there is a short period of time until the boarder agreement with Cities of Waukesha and Pewaukee goes into effect. The bypass proposal has been on the map for more than 25 years. The road has been proposed and the area reserved. He would like the state to take it under advisement.

Johnson said what had been missing in the past was local support but that is now different. We need a corridor that all parties will endorse. He would like a complete environmental analysis and real estate report of the area before WisDOT will talk about cost share and scheduling arrangements. The route has been identified as a state route. Johnson said he lives east of Merrill Hills Road in the City of Waukesha and uses the road all the time.

Kolb asked Johnson if he wants the municipalities and county to purchase the land? Johnson said having a completed environmental study, real estate acquisition report and a chosen route shows support.

Dwyer said this is a rare occasion when a region is in agreement with a project. We need to look at how this road connects southeastern Wisconsin. The state put in an interstate connection that is a feeder to this project and has been the impetus for community agreement.

Johnson said there's not a set process on how this will move forward. The major projects commission has a huge backlog of projects. An option would be for the local communities to take the lead, pay for the entire project and then the state could take over the road when it's done. Dwyer said for the betterment of the area we need to make this project a priority and the state should pay. The state would discourage us by making the price split too large.

Paulson said he hasn't heard Johnson say he supports this project and will move it forward. Johnson said he came to listen and restate the WisDOT opinion. Paulson said you said normally at this point, the City and Town of Waukesha would start acquiring land but that doesn't make sense until the state commits to the project. Johnson said it is too early to buy land. There needs to be a document indicating purpose and need and set standards plus the mapping may change after the environmental study is completed. He sees community support but there may not be public support.

Manke said at one time this was to have been a state road. From his discussions with Rich Bolte, Bolte said the county would do the road [Hwy TT] from Northview to Hwy 18 and then the state would take over the project. This should be funded by the state.

Lombardi said does the state want the environmental study before making a commitment to the project? Johnson said he needs to talk to staff internally to see if anything else is needed. Lombardi stressed that the users of this roadway are county residents. She would like the county to move forward on the environmental impact study and pay for the project.

Kolb urged Johnson to bring back an answer in a reasonable amount of time. Johnson said he will discuss this with his office, review the state's position and respond.

Stamsta asked who is the lead agency? Without a lead, there is no project. Johnson said it could be a variety of people. Most logically it could be the City of Waukesha, the county or the state.

Esler said the route has been mapped and on the street width map and the right of way reserved for 50 years. In the 1980s we got stuck on the alternatives but some of the alternates are no longer a consideration. The transfer of Meadowbrook and Hwy TT to the state is consistent with all plans since the 1970s. Developments have occurred including the new interchange and the county construction of the road between Northview and Hwy 18. The sticking point is where will the road go south of MacArthur Road. Nothing will get done unless someone is in charge. Esler asked Johnson to give a deadline of when he would bring forth project parameters. Johnson said he will go for a shorter timeframe.

Esler asked Johnson if the state would consider doing a piece of road at a time? Johnson said we will look at the various options. He's not going to give an answer today. Lombardi said she would like a more concrete timeline. Johnson said he will bring an answer back by June 1st.

Consider the Ordinances Listed Below and Consider Modifications and Alternatives to the Below Listed Ordinances

160-O-117: Amend the Waukesha County Code to Repeal and Recreate Sections Regarding Establishing and Creating Nineteen Supervisory Districts in Waukesha County

160-O-118: Amend the Waukesha County Code to Repeal and Recreate Sections Regarding Establishing and Creating Twenty-Five Supervisory Districts in Waukesha County

Shaver explained how his staff draws supervisory district maps for the decennial census process. He said the maps drawn for the census process divide the county into 5000 pieces by population. The districts are divided into an equal number of constituents per district so there is one man, one vote. With this many pieces, it is easy to develop districts to achieve a low population variance and fulfill law-required elements. It is difficult to divide the county perfectly so there is a population variance. There are different ways to dissect the county depending on what criteria are used such as keeping variance percentages low. They try not to split communities and like areas such as rural, urban, sanitary districts, school districts, etc. During the normal redistricting process, his staff meets with communities after the districts are drawn to create wards. The process proceeds from the big picture down to wards. In order to divide the county according to Act 100 and provide maps for these ordinances, they were required to use Waukesha County's 2000 census information and 389 wards to determine the new districts. Ward sizes vary from zero to 2,600 people per ward, which is relevant because if you are moving wards around and want to stay with one man, one vote rule, it is impossible to keep the population variances low. Shaver then reviewed each map and the criteria used to develop it.

Haukohl asked has there been discussion about how the board will be structured and specific supervisor responsibilities for varying board sizes? Is there a justification for choosing 25 or 19 districts? What kind of oversight will it have? Bussler said the county executive's plan is to find efficiencies in every department. He wants to see if the board can do what they've been doing with fewer members.

Dwyer asked will all departments be downsized? Bussler said the county executive will be looking at all departments for efficiencies. Dwyer asked if Vrakas will look at reducing all departments by 30%? Bussler said the county executive doesn't see reducing the board as a means of reducing efficiency.

Mitchell asked Bussler will the county executive continue to reduce the board until its no longer effective? Bussler said if you look at different scenarios with committee make up, there's justification for downsizing. This is a well thought out plan. Mitchell asked Bussler if the county executive looked at a board of 11? Bussler said he's been looking at all proposals.

Mitchell asked Shaver when the county needs to redistricting in 2010, will we need to go through the entire census redistricting process again? Shaver said the maps will be redone in 2010 using these maps as a guide. The board should be comfortable with the general theme of these maps. Dwyer said the last time the maps were drawn from the 2000 census there was no input from supervisors or elected officials. The maps were well drawn.

Paulson asked Bussler how has the board been inefficient and not streamlined? What hasn't been done in a timely fashion? Identify where the board has dropped the ball. Bussler said the county executive hasn't disparaged the board. The question is financial. Could you do the same type of job with fewer people? The fiscal note shows a savings of more than \$100K, which is not huge but is significant.

Manke said he has not seen a map of 11 districts and he's not sold on 11. The number seems like it was pulled out of a hat. If the board downsizes to 11 or 19, it will become a full time legislature. Thirty-five members have served the county well. What will be gained by downsizing? How will the board operate? What will the structure look like? We won't save big money by downsizing. We are under the gun.

Stamsta said he keeps hearing downsizing will bring greater efficiency. Efficiency is that it will be easier to lobby a smaller board. The smaller the board, the easier it is to lobby and the more money spent on

lobbying. It is hard to contact 35 people and get 35 like opinions. It's easy to convince the majority of 19 people to vote the way you want them to. Thirty-five supervisors is a grassroots board.

Kolb is concerned citizens not are not getting information regarding the efficiencies of the board as it exists now. The executive branch asks supervisors to participate in commissions, studies, and many other groups which require countless hours. He serves on the Park and Planning Commission, the Executive and Parks and Land Use Committees, Storm Water Management, a committee that develops the county land use plan, etc. Participation in these groups takes time. There are supervisors who are very dedicated while others are not and you will have this no matter what size the board ends up. If there are 19 supervisors, there will be more work. In private enterprise when you would load more work on employees, they have the expectation of being compensated for the extra work. This will have to be reviewed. Will we save money if we cut the board to 19 members or will we sacrifice oversight and efficiency of the board? Also, if the board is reduced how many working citizen board members will have the time to attend all the meetings? The workload will increase significantly if the board is downsized. Reducing the board to 11 members will devastate government in Waukesha County as we know it. If he were county executive he would want to reduce the size of the board because it would be easier to convince a smaller group to vote his way.

Kolb said he listens to the people he represents and votes the way his town wants him to vote. He would like to see the board stay at 35. If we go to 25, we won't have a devastated board. The basic structure will remain the same. When you go to 19, the make up of the board will change. No one has come forward and said the board of 35 has wasted money and done a bad job.

Haukohl said Waukesha County couldn't have achieved a AAA bond rating unless we were doing a good job. She won't be bullied to downsize. She will not support downsizing. She hasn't been shown any information that the board will run more efficiently with fewer members. The Wisconsin Taxpayer Alliance posted a study showing larger county boards meant less spending per capita. Larger boards keep spending and people in check. We are a board of citizens. We aren't high-powered elected officials.

Paulson said he's been called a liar and a pig in a trough and had his moral compass questioned. When they start attacking you personally, they've run out of arguments. They don't have an argument with back up materials. The Milwaukee Journal Sentinel would not publish his letters. Charlie Sykes would not take his calls. How does he get his message across? We're at the mercy of the press to get our message out. He has gotten three emails from constituents on downsizing. One email was from a member of the Taxpayers League, one was from a man in Waukesha and the last one wanted voters to decide what they want in their city. He's concerned that people don't know what's going on. Budgeting doesn't take rocket science. When 80% of your budget is personnel, there aren't many options to reduce the budget. County employees are laid off in Waukesha County when the money goes away but it is done judiciously. He will go with a plan for 25 supervisors but he hasn't decided which version of the maps he prefers. He's concerned there's no model for a board of 11. Many times in legislation, you take less than you want because you're concerned with the alternative. He's surprised there was no public comment today.

Bullermann said when he became a supervisor he wondered how he could influence 35 supervisors. In the board, he has found a well-managed and well-run machine that is here for the benefit of the citizens. He is open for discussion on whether or not to reduce the board. According to a past Executive Committee action, a study containing information that will help him vote on this issue was to be brought forward by staff. Where is the impact study? He expected to get information on this subject before voting just like he would any other issue. He thinks the committee should pause on acting until they have all the information. How do you show or measure efficiency? What are we measuring? How will the county board evolve with the new head count? He likes to read all the background information on an issue before voting but he

hasn't gotten any information on this. He'd like a presentation by the Taxpayers Alliance. People are entitled to their own opinions but some have been disingenuous. A board of 11 could be a political system. We have a well-intentioned citizens' group but they should watch what they wish for.

Dwyer said staff did research online. They found there are two styles of county government, representative and commission. The average commission/board size is five members, full time, partisan, with salaries in excess of \$100K. Commission style governments do not have a county executive but instead hire an administrator. Most commissions have three, five or seven members. No groups were found to have 11 members. There have been warnings to stay away from boards of three because two people can never sit together and talk. Groups of five are the average but most wished they had stayed at seven. Some commissioners represent areas larger than the State of Wisconsin. Wisconsin is not like any other state. We are modeled after a non-partisan representative model. There are no models for 11 members. Dwyer talked to many people at NACo about the make up of their boards and collected lots of data. The statistics don't tell us how the boards work. There's no right answer.

Herro said the press is the holder of the community. The press should represent the citizens when they aren't being represented. As a businessman who owns property, he knows why we turned down becoming a state twice. We didn't want to be ruled. We wanted to be represented by citizens. When we founded the country, everyone was supposed to represent their area. You get in, serve your time and you get out. Our supervisors are part time and don't get health insurance. Those using this job as a stepping-stone to higher elected groups don't last long because we deal with the minutia. Do you really think that cutting the board will save money? You won't save money by cutting the board. You will create another level of full time government. A board of 11 will be fulltime and businessmen won't be able to serve. Citizens who want to serve will be beat by the politicians who know how to get votes. If people are here to get power, they will represent those who help them get elected. It doesn't matter that meetings were cancelled. If the board doesn't meet, they can't enact legislation and spend money. If you're part time, it doesn't matter if you cancel a meeting but it does matter when you're full time. The board gets educated at committee meetings and outside of the committee as members of library boards, SEWRPC, lake management districts, etc.

Herro said if the Taxpayers League wants to talk about saving money, they are on the wrong level. They should be looking into consolidating police, fire, EMT, water, etc. When you eliminate representation, you eliminate citizen involvement. We are one of the most conservative counties in the nation. We are only one of 50 counties in the U.S. that has received AAA bonding. Waukesha County has the 70th lowest tax rate in the state. We're only one of 12 counties in the state that doesn't have a sales tax because we are a conservatively run county. He used to support downsizing to 25 but there aren't any inefficiencies here. He's met people from counties with three, five and seven member boards. One person he talked to had to raise \$750K for his campaign. This discussion should be about representation. Do you want a government in Waukesha like they have in Madison? Supervisors represent the entire county. He fears the day when there are more politicians on the board. Supervisors who are businessmen and land owners won't raise taxes because they will have to pay them. If people don't like what's going on, drop the petitions and run for the board.

B. Morris said if you have to vote for this ordinance by a map, it is confusing. She would like to vote on the ordinance without a map. The board could run the same way with 25 members as we do now except with five committees. She would like to see this discussed on the county level.

Dwyer said he asked to have alternative maps developed because he heard a lot of complaints about how the districts were divided. Some of the areas on the original map were 90 square miles. How can you represent an area that big? It is difficult to put these maps together using wards versus census information. If we go to five or 11 supervisors, we may as well go to one branch of government.

Kallin said efficiency might not be the correct term. Efficiency is the definition of doing something efficient. The county is doing that. It's a question of philosophy. Do we need 35 people to run efficiently? We should find out how much we will save if we eliminate duplication and get rid of all county board and county executive staff. People are saying they want a smaller board. They aren't questioning efficiency. If it were an issue of efficiency, you would go to a commission type government with three, five or seven commissioners and then lobby the state to eliminate the county executive type government. One of the first things he was told two years ago when he started is that you can tell you are doing your job well if no one knows what you're doing. There will be no scandal, no mess. He spends less than \$400 for his county supervisor race, which is more comfortable than the amount he and others spent running for mayor. It has been suggested the board micromanages. All he needs to do is remind people to look at Milwaukee County to see how many staff went to jail, elected officials were recalled or voted out of office because they didn't ask the right questions or micromanage. Do you buy into the philosophy that a smaller government is better than a larger government? There are no figures or statistics to answer these questions. There's no guide staff can give us.

Swan said he would like to see the electorate decide board size. Most people signing petitions for 11 board members don't know if these would be full time or part time positions. They don't know what the downsizing involves. Scientifically it makes sense to wait until the next census but politically it doesn't.

Kramer said the board was told to downsize for efficiency and we need to be more efficient because we cancelled 28 meetings. Why is canceling meetings a sign of inefficiency? He heard a radio host talking about reducing the county board and staff but he doesn't see that in the ordinance. The media talks about getting rid of internal audit or moving it to the county executive's office. Do you want the auditor auditing itself? He's been in favor of reducing the board since he first ran for office. He finds it odd that here is a situation where you have people you agree with calling you names and putting you in a situation you can't win. No matter which way he votes, he will lose. The board won't win by reducing. If he votes to reduce the board to whatever number, he will be called names. The media says he gets benefits. He can get health insurance from the county at 100% of the cost or \$430 per month versus the \$88 he pays on his own. He has the benefit of being in the state retirement system but it will take 15 years to vest. He makes \$8.77 per hour for this job and he does it to be called names and a liar. Maybe we aren't the smartest people in the county if we are stupid enough to do this job.

Cummings provided the committee with a family history and reasons why she interviewed for county supervisor. She said the board is comprised of citizen representatives who do a fine job. Downsizing puts the citizen representation at stake. Will there be a 30% cut in the county executive's office too? She thought the job of the media was to report the news, not make the news. She said it's funny how Jenifer Finley was on the front page of newspapers and then suddenly county board downsizing was brought up and Jenifer Finley was no longer on the front page.

Haukohl said she got a memo from Lee Esler dated February 22 saying there was going to be a study of how a downsized board would operate and function. She hasn't seen any information explaining the reasons to downsize.

MOTION: Paulson moved, Mitchell second, to remove Ordinance 160-O-118 from the table. Motion carried: 6-1 (Haukohl no).

MOTION: Paulson moved, Stamsta second, to approve Ordinance 160-O-118.

MOTION: Stamsta moved, Mitchell second, to amend Ordinance 160-O-118 to include map version two and the associated language. Motion carried: 7-0.

On the original motion as amended: motion carried: 4-3 (Stamsta, Manke, Haukohl voted no).

The committee took a 25-minute lunch break.

Discuss and Consider the Sheriff's Department Cash Audit

Schubert said the Sheriff's Department requested that Internal Audit perform a review of cash handling procedures within the department. The scope of the audit was to perform an operational audit, focusing on the cash receipting operations in the Sheriff's Department Record Division, the controls over inmate accounts at the main jail and Huber facilities and the controls over flash money and cash held as evidence in the Metro Drug Unit. A review of the controls in each of the four divisions was performed considering the constraints of current staffing levels. Considering the staffing levels, adequate segregation of duties is not always feasible. Schubert and Siewert reviewed audit's 20 recommendations to improve cash handling internal controls within the department as outlined in the report. Recommendations were formulated to improve segregation of duties where necessary without the involvement of additional staff.

Schubert and Siewert reviewed the recommendation of the audit. Audit recommendations for the Main Jail Inmate Account section include improvements to bank reconciliations, timely bank reconciliations, bank charges, canteen indigent packs, cost of indigent packs, check signing authority, documentation for payments, daily deposits, entries to suspense accounts and inmate balances owed. Audit recommendations for the Huber Facility Inmate Account section include improvements to reconciling bank accounts to Correctional Computers of Wisconsin (CCW) system and bailee status processes. Audit recommendations for the Metro Drug Unit section include improvements to expenditures from flash money for equipment and out-of-town travel processes and unannounced cash audits. Audit recommendation for the Records Division Operations section includes improvements to safe access and unused check stock, manual receipts, storage of cash receipts, segregation of duties and written procedures.

Esler recommended referring the audit report to the Judiciary Committee to have them follow up on the *Bailee Status* recommendation found on page five of the report. Koth said this issue is being researched but has not been resolved to date.

MOTION: Haukohl moved, Stamsta second, to accept the Sheriff's Department Cash Audit and to refer it to the Judiciary Committee. Motion carried: 7-0.

Correspondence

Dwyer distributed and reviewed the list of correspondence. He said Supervisors should request copies of the listed items from Jicha.

Approve the Minutes of March 13, 2006

MOTION: Manke moved, Mitchell second, to approve the minutes of March 13, 2006. Motion carried 7-0.

Discuss and Consider 160-A-030: Appointment of Rev. Allan A. Jahneke to the Ethics Board

MOTION: Paulson moved, Manke second, to approve Appointment 160-A-030. Motion carried 7-0.

Committee Reports by Committee Chairs for the Following Meetings:

March 17, 2006 – Judiciary and Law Enforcement – Mitchell said the committee heard an update on the Metro Drug Unit.

March 21, 2006 – Personnel – Paulson said the committee will review an ordinance submitted by Supervisor Cummings to eliminate the non-represented compensation system plan non-base accumulating performance awards program. The committee will also consider an ordinance to increase elected officials salaries.

March 16, 2006 – Public Works – Manke said the committee discussed the elimination of a bus route in Pewaukee.

March 21, 2006 – Land Use, Parks and Environment – Kolb said the committee reviewed the 2006 amendments to the Waukesha County Development Plan.

March 22, 2006 – Finance – Haukohl said the committee heard reports on Courthouse security, Treasurer's annual report and year-end general funds and approved a variety of ordinances.

Discuss and Consider the Sheriff's Department Cash Audit

Marks returned to the meeting to report that bailees are not assessed fees while in Huber because they haven't been charged for a crime. Judges may order bailees to be held in Huber so they can keep their jobs.

MOTION: Haukohl moved, Stamsta second, to adjourn the meeting at 3 p.m. Motion carried 7-0.

Respectfully submitted,

Walter L. Kolb
Secretary